

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF TEXAS

Case number (if known) Chapter 11

☐ Check if this an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

06/24

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	<u>Emergency Hospital Systems, LLC</u>	
<hr/>		
2. All other names debtor used in the last 8 years <small>Include any assumed names, trade names and doing business as names</small>	<u>AKA Cleveland Emergency Hospital</u> <u>DBA Cleveland Emergency Hospital</u>	
<hr/>		
3. Debtor's federal Employer Identification Number (EIN)	<u>47-4866295</u>	
<hr/>		
4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>8901 FM 1960 Bypass Road</u> <u>Humble, TX 77338</u> <small>Number, Street, City, State & ZIP Code</small>	<u>26226 I-45 North</u> <u>Spring, TX 77386</u> <small>P.O. Box, Number, Street, City, State & ZIP Code</small>
	<u>Harris</u> <small>County</small>	Location of principal assets, if different from principal place of business <u>Number, Street, City, State & ZIP Code</u>
<hr/>		
5. Debtor's website (URL)	<u>www.emergencyhospitals.care</u>	
<hr/>		
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____	
<hr/>		

Debtor Emergency Hospital Systems, LLC
Name

Case number (if known) _____

7. Describe debtor's business A. *Check one:*

- ☒ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☐ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

6221**8. Under which chapter of the Bankruptcy Code is the debtor filing?** *Check one:*

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. *Check all that apply:*
- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on 4/01/25 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	Case number, if known	_____

Debtor Emergency Hospital Systems, LLC
Name

Case number (if known) _____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention? (Check all that apply.)**☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?** _____

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors☐ 1-49☐ 50-99☐ 100-199☒ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor Emergency Hospital Systems, LLC
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 3, 2024
MM / DD / YYYY**X** /s/ Rafael Delaflor
Signature of authorized representative of debtorRafael Delaflor
Printed nameTitle Operating Manager**18. Signature of attorney** **X** /s/ Kenna Seiler
Signature of attorney for debtorDate October 3, 2024
MM / DD / YYYYKenna Seiler
Printed nameSeiler Rapp & Guerra, PLLC
Firm name2700 Research Forest Drive Suite 100
The Woodlands, TX 77381
Number, Street, City, State & ZIP CodeContact phone (281) 419-7770x8020 Email address kseiler@srg-law.comTX 13944250
Bar number and State

**WRITTEN CONSENT RESOLUTIONS
OF OPERATING MANAGER**

of

Emergency Hospital Systems, LLC, a Texas Limited Liability Company

August 2, 2024

The below signed Operating Manager, Rafael Delaflor-Weiss, in respect of Emergency Hospital Systems, LLC (the "**Company**"), does hereby approve and adopt the following resolutions following a specially noticed meeting of Managers:

RESOLVED, on Friday, August 2, 2024, at 10:00 a.m., and I, Rafael Delaflor-Weiss, the duly appointed Operating Manager of the Company conducted a Special Meeting of the Board of Managers. Prior to this Special Meeting, I requested that Antonio Canales provide me with the following materials:

1. The Company's Profit and Loss Statement as of June 30, 2024
2. The Company's Balance Sheet as of June 30, 2024
3. The Company's General Ledger for the period of January 1, 2024 to June 30, 2024
4. A statement of the Company's projected income and expenses for the period of July 1, 2024 through September 30, 2024
5. A copy of all equipment and property leases in place during the period of January 1, 2024 through September 30, 2024.

Mr. Canales provided me with that information and data. That information and data was made available for review by the Managers upon request.

RESOLVED, as the Operating Manager of the Company, based upon the information and data provided by Mr. Canales, it is clear to me that the Company is unable to pay its operating expenses and current liabilities projected to become due and payable in the period of July 1, 2024 through September 30, 2024. Specifically, the Company will not be able to make payroll, benefit payments, and real property and equipment lease payments. It also appears that the real property lease payments, which are payable to affiliates owned and/or controlled by Dr. Ravi Moparty, are non-market based, and are a financial burden upon the Company.

Resolved, as a result of these factors, I conclude, resolve, and, as the Operating Manager, adopt the following resolutions on behalf of the Company:

1. In the judgment of the Operating Manager, it is desirable and in the best interests of the Company, its creditors, members, and other interested parties, that the Company be authorized and empowered to file, at such time as it is deemed necessary by the Operating Manager of the Company, a petition for relief (the "Petition") under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court

for the Southern District of Texas, Houston Division (the "Bankruptcy Court"); and it is further

2. Rafael Delaflor, the Operating Manager, is hereby authorized, directed and empowered, on behalf of and in the name of the Company, (i) to execute and verify the Petition and cause the Petition to be filed with the Bankruptcy Court and (ii) to perform any and all such acts as are reasonable, advisable, expedient, convenient, proper and necessary to effect any of the foregoing; and it is further
3. Rafael Delaflor, the Operating Manager, is authorized, directed and empowered, on behalf of and in the name of the Company, to execute, verify and file or cause to be filed all other reasonable and customary applications, schedules, lists, motions and other papers and documents; and it is further
4. Rafael Delaflor, the Operating Manager, is authorized, directed and empowered to open any new bank accounts, as needed, to be designated as "Debtor-in-Possession" bank accounts pursuant to the filing of the petition under Chapter 11 of the Bankruptcy Code, and to include Rafael Delaflor, the Operating Manager of the Company as the signing party on such accounts, as representative of the Company; and it is further
5. Rafael Delaflor, the Operating Manager, is authorized, directed and empowered to retain on behalf of the Company, bankruptcy counsel, to represent the Company in the aforesaid Chapter 11 bankruptcy case and all other related matters in connection therewith and such other terms and conditions as the officers shall deem advisable; and it is further
6. Rafael Delaflor, the Operating Manager, is authorized and empowered, for and on behalf of the Company, to execute and file all such instruments and documents, to make all payments, to enter into all agreements and to do or cause to be done all acts and things that may be necessary or appropriate to carry out the purposes of the foregoing resolutions.

Dated this August 2, 2024.



Rafael Delaflor-Weiss
Operating Manager